

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In re Application of: Doug Hutcheson et al.**

**Serial No.:** **09/772,065**

**Filed:** **January 30, 2001** **Group Art Unit: 2681**

**For:** **OPERATIONS METHOD FOR PROVIDING WIRELESS  
COMMUNICATIONS SERVICES AND NETWORK AND SYSTEM  
FOR PROVIDING SAME**

**Attorney Docket #:** **50310-00631**



**PRELIMINARY AMENDMENT**

Honorable Commissioner of  
Patents and Trademarks  
BOX NON-FEE AMENDMENT  
Washington, D.C. 20231

Sir:

Prior to initial examination, please amend the above-identified application as follows:

**IN THE SPECIFICATION:**

On line 1, before "Field" please insert the following:

**--Cross Reference To Related Patent Application**

This application relates to and claims priority on provisional application serial number 60/241,833, filed October 20, 2000 and entitled "OPERATIONS METHOD FOR PROVIDING WIRELESS COMMUNICATIONS SERVICES AND NETWORK AND SYSTEM FOR DELIVERING SAME."--

**IN THE CLAIMS:**

Please delete Claims 71, and 83.

Please amend Claims 18, 28-31, 36-38, 41, 44-50, 52-57, 60, 75, and 87 as follows:

Claim 18, line 1, insert --or equal to-- after "than".

Claim 28, line 2, insert --or equal to-- after "than".

Claim 29, line 2, insert --or equal to-- after "than".

Claim 30, line 2, insert --or equal to-- after "than".

Claim 31, line 2, insert --or equal to-- after "than".

Claim 36, line 3, insert --or equal to-- after "than".

Claim 37, line 1, insert --or equal to-- after "than".

38. (Amended) The method of Claim 22, further comprising maintaining the operating expense per subscriber at a rate that is proportional to a rate of less than or equal to about \$26 per month.

41. (Amended) A method of rendering wireless communications services to one or more subscribers in return for payment of a charge, comprising:

determining a flat rate charge for the services;

determining a period of time within which the flat rate charge shall apply;

determining the user's charge based upon the flat rate for the period of time;

providing unlimited access to the wireless communications services for the flat rate during the period of time;

rendering the charge to the user in a billing statement that does not include detailed call records;

receiving payment of the charge substantially before the wireless communications services are rendered to the subscriber;

determining a geographic area in which the user substantially lives, works, and plays;

providing the wireless communications services only in the determined geographic area;

and

[maintaining centralized control of the wireless communications services; and]

operating the wireless communications services to optimize cost containment rather than revenue generation.

44. (Amended) The method of Claim 41, wherein the period of time further comprises [one or more months] a predetermined time period.

45. (Amended) The method of Claim 41, further comprising charging a flat rate for the period of time that is proportional to a rate of less than or equal to about \$50[, and wherein the period of time comprises one or more months].

46. (Amended) The method of Claim 41, further comprising charging a flat rate for the period of time that is proportional to a rate of less than or equal to about \$30[, and wherein the period of time comprises one or more months].

47. (Amended) The method of Claim 41, further comprising allowing use at a rate for the period of time that is proportional to a rate of more than or equal to about 400 minutes of use per month.

48. (Amended) The method of Claim 41, further comprising allowing use at a rate for the period of time that is proportional to a rate of more than or equal to about 600 minutes of use per month.

49. (Amended) The method of Claim 41, further comprising allowing use at a rate for the period of time that is proportional to a rate of more than or equal to about 800 minutes of use per month.

50. (Amended) The method of Claim 41, further comprising allowing use at a rate for the period of time that is proportional to a rate of more than or equal to about 1000 minutes of use per month.

52. (Amended) The method of Claim 41, further comprising maintaining the average revenue per user at a rate for the period of time that is proportional to a rate of less than or equal to about \$40 per month, and wherein the average minutes of use of the services per user is at a rate that is proportional to a rate of greater than or equal to about 200 minutes per month.

53. (Amended) The method of Claim 41, further comprising maintaining the average revenue per user at a rate for the period of time that is proportional to a rate of less than or equal to about \$30 per month, and wherein the average minutes of use of the services per user is at a rate that is proportional to a rate of greater than or equal to about 500 minutes per month.

54. (Amended) The method of Claim 41, further comprising maintaining the average revenue per user at a rate for the period of time that is proportional to a rate of less than or equal to about \$30 per month, and wherein the operating expense per user is at a rate for the period of time that is proportional to a rate of less than about \$26 per month.

55. (Amended) The method of Claim 41, further comprising:  
maintaining the average revenue per user at a rate for the period of time that is proportional to a rate of less than or equal to about \$30 per month; and

maintaining the margin for the operator of the wireless communications services at greater than or equal to about 15%.

Claim 56, line 1, insert --or equal to-- after "than".

57. (Amended) The method of Claim 41, further comprising maintaining the operating expense per subscriber at a rate that is proportional to a rate of less than or equal to about \$26 per month.

60. (Amended) A method of marketing wireless communications services to one or more subscribers, comprising:

offering a simplified rate plan; and

simplifying the marketing offering. [; and]

[reducing the cycle time required to consummate the marketing transaction.]

75. (Amended) A method of marketing wireless communications services to one or more subscribers, comprising:

offering a simplified rate plan, comprising a flat rate charge;

simplifying the marketing offering;

[reducing the cycle time required to consummate the marketing transaction;]

providing pre-programmed wireless handsets;

offering a limited handset selection;

providing a wholesale discount without commissions or residuals; and

receiving payment of the charge substantially before the wireless communications services are rendered to the subscriber.

87. (Amended) A method of marketing wireless communications services to one or more subscribers, comprising:

offering a simplified rate plan, the simplified rate plan comprising a low fixed monthly charge for unlimited access to the wireless communications services;

simplifying the marketing offering, the marketing offering comprising a standardized wireless handset selection and limited features;

[reducing the cycle time required to consummate the marketing transaction by offering the wireless communications services in a self-contained package format, the self-contained package format further comprising the wireless handset and material information about the marketing offering printed on the product packaging adapted to be acceptable to the potential subscriber;]

providing pre-programmed wireless handsets;

providing a wholesale discount, without commissions or residuals; and

offering features for the wireless handset that are familiar to the subscriber and that do not require training. [; and]

[maintaining wireless handset inventory with a distributor.]

## **REMARKS**

Applicants respectfully request that the foregoing amendments be entered prior to examination of the application. No new matter is added. Support for the subject matter of the amendments is found in the specification.

It is believed that no fee is required for consideration of this Preliminary Amendment. However, if a fee is required, the Commissioner is authorized to charge any deficiency or credit any overpayment to Deposit Account No. 03-2469.

Respectfully submitted,

  
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Dated: May 15, 2001